

THE INSURANCE CODE OF 1956 (EXCERPT)
Act 218 of 1956

***** 500.2409b THIS SECTION IS REPEALED BY ACT 104 OF 2016 EFFECTIVE AUGUST 1, 2016

500.2409b Availability of liquor liability insurance; report; certification; considerations; submission of report and certification; "liquor liability insurance" defined.

Sec. 2409b. (1) The commissioner shall issue a report detailing the state of availability in the liquor liability insurance market and delineating specific classifications of liquor liability insurance where reasonable availability does not exist not later than March 1, 1988, and each year thereafter. The report shall be based on relevant economic tests, including but not limited to those in subsection (2). The findings in the report shall not be based on any single measure of reasonable availability, but appropriate weight shall be given to all measures of reasonable availability. The report shall include a certification of whether or not liquor liability insurance is reasonably available in this state including whether it is available at a reasonable premium.

(2) All of the following shall be considered by the commissioner for purposes of subsection (1):

(a) The extent to which any insurer controls the liquor liability insurance market in this state, or any portion thereof.

(b) Whether the total number of companies providing liquor liability insurance in this state is sufficient to provide multiple options to liquor licensees.

(c) The disparity among liquor liability insurance rates.

(d) The overall rate level which is not excessive, inadequate, or unfairly discriminatory.

(e) Any other factors the commissioner considers relevant.

(3) The report and certification required under subsection (1) shall be submitted to the liquor control commission, all members of the house of representatives committees on insurance and liquor control, and all the members of the senate committee on commerce.

(4) For purposes of this section, "liquor liability insurance" means any of the following that provide security for liability under section 22 of Act No. 8 of the Public Acts of the Extra Session of 1933, being section 436.22 of the Michigan Compiled Laws:

(a) An insurance policy.

(b) A bond.

(c) Membership in a limited liability pool under chapter 65.

History: Add. 1986, Act 173, Imd. Eff. July 7, 1986.

Popular name: Act 218